<u>REMARKS</u>

The applicant respectfully acknowledges the telephone
interview held with the examiner and his supervisor Zarni Maung
on June 3, 2004 at 11:00 am. The examiner pointed out that the
language of the claims did not clearly identify the novelty of
transferring a file by transferring needed portions of the file
first. The applicant has amended the claims to clarify them. The
applicant submits the claims as amended are in condition for
allowance, which allowance is respectfully requested.

In paragraph 2 of the office action, the examiner rejects
claims 5, 15 and 25 under 35 U.S.C. 112 second paragraph as being
indefinite for reciting the limitation of "itself" in the claim
without sufficient antecedent basis. The applicant has removed
the term "itself" in the claims and respectfully submits the
claims 5, 15 and 25 are in condition for allowance, which
allowance is requested.

In paragraph 3, the examiner rejects claims 1-11, 19, 23 and
29 under U.S.C. 102(e) as being anticipated by US 6,625,643 to
Colby et al.

The Colby patent is directed to streaming media, potentially
large files are broadcast to viewers, the viewers can view
information as it's being transferred. Colby does not express or
imply the ability to transfer the content of a file by selecting
a starting point within a file such that the portion of the file
that is desired is transferred before the rest of the file nor
does Colby express or imply the ability of an application to
access the target file while the target file is being loaded as
shown in the amended claims.

The applicant has amended claim 1 according to the
specification and drawings, as follows:

> A client-server based file transfer method for a client
> computer system comprising the steps of:

creating at a client computer system, a local file for
holding a downloaded local copy of a remote file of a
remote file system of a remote server; (Fig. 2 212)
    receiving at the local computer system, an application
program-initiated request (Fig. 2 227) for accessing a
desired portion of the local file, wherein the application
program-initiated request comprises a read position
indicator (Fig. 2 237), the read position indicator
identifying a location in the local file of the desired
portion of the local file;
    when the desired portion of the local file has not been
downloaded from the remote file to the local file,
requesting a file transfer of the remote file from the
remote server, the request indicating the location in the
remote file of the desired portion (Fig. 2 227);
    then starting a file transfer of the remote file from
the remote server to the local file (Fig. 2 239) wherein
the file transfer starts at the location of the remote file
identified by the read position indicator;
    ~~keeping at the client computer system, at least a~~
~~portion of a file system associated file ready for being~~
~~accessed by an application program while the contents of~~
~~said file is being transferred between said server and said~~
~~client,~~ and
        when the desired portion has been transferred
(Fig. 2 250) from the remote file to the local file
fulfilling application program-initiated requests for
accessing ~~specified portions~~ the desired portion of said
local file (Fig. 2 240)
while other portions of said local file have not yet been
~~is being~~ transferred from the remote file to the local
file.

According to the examiner "as to claim 1, Colby teaches a
client-server based file transfer method for a client computer
system comprising the steps of:
keeping at the client computer system, at least a portion of a
file system associated file ready for being accessed by an
application program while the contents of said file is being
transferred between said server and said client" (Col 3 lines
10-30 and col 25 lines 10-26). The applicant disagrees. Colby
does not express or imply a file transfer from a server to a
client file system, Colby is directed to "provide multimedia
distribution service that enables publishers to register

multimedia presentations with the service and enables viewers to view these presentations" (see abstract). Colby is silent on keeping a portion of a file to be accessed by an application program. Further, Colby is silent on accessing the portion while other portions of the file have not yet been loaded.

The applicant has amended claim 1 to more clearly define the novel elements of the invention. Accordingly, the applicant submits that claim 1 as amended is allowable, which allowance is respectfully requested.

Claims 11 and 21 as amended substantially comprise the limitations of claim 1 and are therefore also allowable, which allowance is respectfully requested.

Claims 2-6, 12-16 and 22-26 depend on allowable claims 1, 11 and 21 respectively and are therefore allowable, which allowance is respectfully requested.

According to the examiner, as to claim 9, Colby teaches "issuing specifications by said issuing specifications by said client-server, and

Streaming client-requested file information to a client computer system in portions according to the specifications issued by said client-server" (Col 3 lines 10-30 and col 25 lines 10-26). The applicant disagrees, the applicant has ammended the claims to more clearly define the invention. Colby is silent on any specification of portions of a file to be transferred to a client system file system to be accessed while the file system has not yet received all portions of the file. The streaming of Colby does not skip portions, it transferres data in a stream rather than selected portions. The applicant submits that claim 9 as amended is allowable, which allowance is respectfully requested.
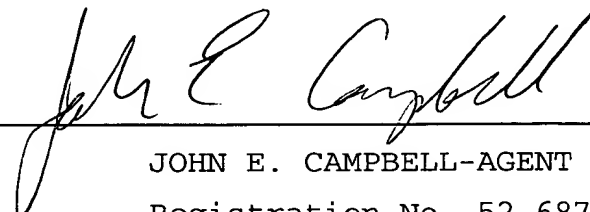
Claims 19 and 29 have substantially the same limitations as allowable claim 9 and are therefore allowable, which allowance is respectfully requested.

Claims 10, 20 and 30 depend on allowable claims 9, 19 and 29 and are therefore allowable, which allowance is respectfully requested.

The examinet says that Colby teaches "fulfilling application program-initiated requests for accessing specified portions of said file while said file is being transferred." (Col 3 lines 10-30 and col 25 lines 10-26). The applicant disagrees.

It is respectfully submitted that the application is now in condition for allowance, which allowance is respectfully requested.

RESPECTFULLY SUBMITTED

BY: _____

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